

EXHIBIT “A” Pages 1 - 12

1 Sheila Gropper Nelson, SBN 85031
2 LAW OFFICE OF SHEILA GROPPER NELSON
3 55 Francisco St., Suite 600
4 San Francisco, CA 94133
5 Telephone: (415) 362-2221
6 Facsimile: (415) 576-1422
7 Email: SheDoesBKLAW@aol.com
8 Attorney for Debtor Monette Stephens

9 UNITED STATES BANKRUPTCY COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 (San Francisco Division)

12 In re
13 Carl Wescott and Monette Stephens
14 Debtors,

15 } Case No. 12-30143
16 } Declaration of Monette Stephens
17 } of Compliance with Court Order
18 } Regarding 2004 Order for Documents
19 } dated April, 2012

20 I, Monette Rosemarie Stephens, declare:

21 I am one of the debtors named herein above. I know the information contained herein
22 of my own personal knowledge, unless set forth on information and belief, and as to that
23 matter I believe it to be true. If called as a witness I could testify competently thereto. I have
24 reviewed the response for documents signed on behalf of myself and my husband by attorneys
25 Neil Ison and Brian Williams. As to those responses I state further as set forth herein below:

- 26 1. Your Federal and State Income tax returns for the
27 years 2009, 2010 and 2011.

28 I am informed and believe that the 2009 federal and state tax returns in PDF format,
the 2010 and 2011 state tax returns in physical hard copy format have been produced. I have
worked with the accountant, Leo Zendejas, for the completion of the 2010 federal tax returns
and the 2011 federal returns.

I do not have personal access to all of the information necessary to complete those
returns, as that information relates to business entities in the control of my husband. Except

Declaration of Stephens-412/12-30143

Page 1 of 24

1 as to the documents either previously tendered and listed herein, and/or material produced
2 or taken on September 5, 2012, I do not have possession and control of documents responsive
3 to this demand. I am informed that previously produced matter includes at least the
4 following:

- 5 • 2010 Wescott & Stephens California Tax Return 05-08-12.pdf
- 6 • 2009 Wescott & Stephens CA Tax Return.pdf

7 Additionally I can not state categorically that materials taken by the Trustee's
8 attorney, from my home on September 5th, were not responsive to this demand. Except as so
9 identified I have made a diligent search and have produced all of the documents responsive to
10 this demand.

- 11 **2. Any and all documents consisting of or relating to Your Federal and State**
12 **Income tax returns, for the years 2009, 2010 and 2011, including but not**
13 **limited to worksheets, communications with accountants, 1099 statements.**

14 On September 5, 2012 I produced further documents to the Trustee's attorney relating
15 to information I control, which information was used in the preparation of or information
16 regarding me and my income for the tax returns for tax years 2009, 2010 and 2011.

17 Included amongst the information and documents produced by me are the following:

- 18 - 2008 and 2009 taxes preparation documents (1098's, 1099's, K1's and other related
19 documents) and Federal and CA taxes for Monette Stephens and Carl Wescott and CA taxes for
20 Atlas Consulting LLC;
- 21 - 2010 and 2011 tax preparation documents and copies of CA taxes for Monette Stephens
22 and Carl Wescott and Atlas Consulting LLC, (which is included as a Schedule in the Federal
23 filing);
- 24 - A document identified to me as the "Transmutation agreement" as had been provided to
25 me and which I have been informed is not a final document. I have no other signed copy of said
26 document;

27 - All copies that I could find of various Wells Fargo Bank Statements; and

28 - All copies of Estate Planning Documents in my possession and control.

I have also previously personally directed Leo Zendejas to forward all documents
which may have been in his possession and responsive to this demand to the trustee.

I am informed and believe that the following documents were produced by prior

Declaration of Stephens-412/12-30143

Page 2 of 24

- 1 counsel in digital or pdf format, including:
- 2 • 2011 Federal Tax Extension for Wescott-Stephens.pdf
 - 3 • Santa Barbara Tech Group (SBTG) 2011 K-1.pdf
 - 4 • SBTG 2010 K-1.pdf
 - 5 • FTB Letter.pdf
 - 6 • IRS Letter.pdf
 - 7 • 2009 Wescott & Stephens California Tax Return.pdf
 - 8 • CA 2009 Form 540.pdf
 - 9 • 2009 Automatic Extension Acknowledgment .pdf
 - 10 • Unsigned beach house contract.jpg
 - 11 • 430 Scenic Appraisal.pdf
 - 12 • Oroville Appraisal.pdf
 - 13 • Co-Own 162 Glen Court.doc
 - 14 • 162 Glen Court Appraisal.pdf
 - 15 • Second Glen Court Appraisal.pdf
 - 16 • Newforth Complete Return 2011.pdf
 - 17 • Newforth Complete Return 2010.pdf
 - 18 • Newforth Complete Return 2009.pdf
 - 19 • 7950 Hearst Appraisal.pdf
 - 20 • 7950 Hearst Copy of Note.tif
 - 21 • Ashbury Appraisal.pdf
 - 22 • 5760 Chemise Appraisal.pdf
 - 23 • Rankin Loan Agreement.pdf
 - 24 • Straight Note from Jeremy Smith.pdf
 - 25 • Mendocino Secured Tax Statements.pdf
 - 26 • 1352 Leonard Appraisal
 - 27 • Stipulated Kirk Settlement Appendix A.pdf
 - 28 • Stipulated Kirk Settlement.pdf
 - Stipulated Kirk Judgment.pdf
 - 3033 Shattuck Buyer Final Closing Statement.pdf
 - 3033 Shattuck Appraisal.pdf

Declaration of Stephens-412/12-30143

Page 3 of 24

- 3033 Shattuck Appraisal Fee.pdf
- 3033 Shattuck Lease Agreement.pdf
- Suneet Singal Judgment.doc

I am also informed that the Trustee has been provided with a copy of the 2011 California State Tax as filed. Also on September 5th I produced both originals and copy of the following materials to the Trustee's attorney which were also in response to this demand, to wit:

The Wescott Stephens Revocable Living Trust, Will, and Health Care Directives

Documents used for 2008 Taxes:

- General Information sheet
- Steve Haggard Letter
- Schedules and Worksheets
- Individual Return for Carl Wescott and Monette Stephens (CA and Federal)
- Newforth LLC Partnership return and K1's
- Information Request from 2008 IRS audit
- Atlas Consulting Franchise Tax Check copy
- Copy of check from Newforth to Atlas from 2008

Documents used for 2009 Taxes:

- ACT gift contribution
- Chase 1098's - 3 different mortgages xxxx5111, xxxx3274, xxxx4502
- Aurora Loan Services statement xxxx2430

Declaration of Stephens-412/12-30143

Page 4 of 24

- 1 - Wells Fargo 1099 xxx7024 and
- 2 xxxx5247
- 3 - CITI Mortgage 1099 xxxx7755
- 4 - ASC 1099 xxxx6688
- 5 - Wells Fargo 1099 xxx7472
- 6 - Chase 1098 xxxx2243
- 7 - Luther Burbank tax statement
- 8 xxxx2688
- 9 - CITI 1098 xxxx7755
- 10 - ASC 1098 xxxx6688
- 11 - Wells Fargo 1099 zzzz4825
- 12 - Chase 1098 xxxx7257
- 13 - Chase 1098 xxxx2967
- 14 - Chase 1098 xxxx5244
- 15 - 1099 for Carl, can't read clearly
- 16 - LHJS Investments LLC 1098
- 17 xxxx9274
- 18 - Lafayette Capital Group, Inc 1098
- 19 xxxxA001
- 20 - Chase 1098 xxxx8568
- 21 - Chase 1098 xxxx3656
- 22 - PLM Lender Services Stmt
- 23 xxxx959A
- 24 - PLM Lender Services letter and
- 25 1098 xxxx959A
- 26 - Empire Mortgage 1098 xxxx1402
- 27 - Aurora Loan Services 1098
- 28 xxxx2430

Declaration of Stephens-412/12-30143

Page 5 of 24

- 1 - GMAC 1098 xxxx3045
- 2 - HMW IRREV Trust 1099 forms
- 3 xxxx3045 (CW Trustee)
- 4 - E&O Larkspur K1
- 5 - Newforth Partner K1
- 6 - SBTG K1
- 7 - Catamount Ventures K1
- 8 - Fidelity CAP IV K1
- 9 - Steve Haggard Letter and CA Atlas
- 10 Return
- 11 - SBTG Letter
- 12 - Extension letter for Monette
- 13 Stephens and Carl Wescott
- 14 - Atlas Consulting Return
- 15 Authorization
- 16 - Turbo Tax 2009 Amended Federal
- 17 Return
- 18 - 2009 Letter to IRS explanation
- 19 - 2009 Federal Return
- 20 - Wells Fargo 1099 xxxx8664
- 21 - CITI 1099 xxxx7755
- 22 - ASC 1099 xxxx6688
- 23 - ASC 1098 xxxx6688
- 24 - GMAC 1098 xxxx3045
- 25 - Joyce Wescott 1099
- 26 - Jack Lance 1099
- 27 - Robert Lonsdale 1099
- 28 - John Schrader 1099

Declaration of Stephens-412/12-30143

Page 6 of 24

- 1 - Wells 1098 xxxx7472
- 2 - Wells 1098 xxxx8664
- 3 - Wells 1098 xxxx4825
- 4 - 1099 Cage Entertainment, Inc
- 5 - Medical Bills
- 6 - Atlas P&L
- 7 - E & O K1
- 8 - Newforth K1 and partnership return
- 9 - SBTG K1
- 10 - Fidelity CAP IV K1
- 11 - Fidelity CAP V K1
- 12 - Catamount K1 and Financial
- 13 statement
- 14 - Rainforest Capital LLC K1
- 15 - Fidelity CAP VI K1
- 16 - GGH&C Financial Statement
- 17 - IRS Letter
- 18 - 2009 1040 and
- 19 Transmutation Agreement
- 20 Documents used for 2010 Taxes:
- 21 - ASC 1098 xxxx6688
- 22 - Chase 1098 xxxx3274
- 23 - Chase 1098 xxxx3656
- 24 - Wells 1098 xxxx7472
- 25 - Wells 1098 xxxx4856
- 26 - Wells 1098 xxxx4825
- 27 - Rainforest Capital 1099 Carl
- 28 Wescott

Declaration of Stephens-412/12-30143

Page 7 of 24

- 1 - Sterling Savings Bank 1098
- 2 xxxx9001
- 3 - Rainforest Capital 1099 Monette
- 4 Stephens
- 5 - Rainforest Capital 1099 Pook
- 6 Snook Dook LP
- 7 - CITI Mortgages 1099 xxxx7755
- 8 - ASC 1099 xxxx6688
- 9 - Atlas Consulting P&L
- 10 - Atlas Car Purchase Document
- 11 - Chase 1098 xxxx4502
- 12 - Chase Annual Escrow Statement
- 13 xxxx4502
- 14 - Chase 1098 xxxx5111
- 15 - Chase 1098 xxxx2967
- 16 - Chase 1098 xxxx8568
- 17 - Chase 1098 xxxx2243
- 18 - Citimortgage 1098 xxxx7755
- 19 - PLM Lender Services Borrower
- 20 Statement
- 21 - SBTG K1
- 22 - Rainforest Capital K1
- 23 - Parcel 2010-2011 057-131-09-00
- 24 Secured Tax Statement
- 25 - Parcel 2011- 2012 057-131-09-00
- 26 Secured Tax Statement
- 27 - SF Secured Property Tax Bill 2010
- 28 Documents used for 2011 Taxes:
- Mendocino County Secured Tax
- Bill Parcel 047-220-32

Declaration of Stephens-412/12-30143

Page 8 of 24

- 1 - Napa Secured Tax Statement Asmt
- 2 Number 032-171-031-000
- 3 - Rainforest Capital K1
- 4 - 7004 Extension for 1083
- 5 Mississippi St. LLC
- 6 - Surprise Development Notice of
- 7 Balance Due
- 8 - SF Secured Property Tax Bill 2011
- 9 - 2012
- 10 - Current Secured Reminder Notice
- 11 2010-2011 010-180-007-000
- 12 - BaySierra Financial 1099 xxx5769
- 13 - State Income Tax Refund
- 14 - Form 1096
- 15 - County of Mendocino Letters (10)
- 16 of Delinquent taxes
- 17 - Turbotax purchase receipt
- 18 - Newforth 1099
- 19 - CBT Atlas LLC Statement July 2011
- 20 - Letter to Franchise Tax Board
- 21 - 2011 CA State return
- 22 - SBTG K1
- 23 - Catamount K1
- 24 - Rainforest Capital K1
- 25 - JPMorgan Chase 1098 xxxx3656
- 26 - Chase 1099-C xxxx2243
- 27 - Newforth Partners LLC K1
- 28 - E-MAIL from Leo Zendejas

Declaration of Stephens-412/12-30143

Page 9 of 24

- 1 - Luther Burbank 1098 xxxx2688
- 2 - Wells Fargo 1098 xxxx7472
- 3 - Wells Fargo 1098 xxxx7472
- 4 - Wells Fargo 1098 xxxx4856
- 5 - Wells Fargo 1098 xxxx4825
- 6 - CITI Mortgage 1099 xxxx7755
- 7 - Chase 1099-C xxxx2243
- 8 - PLM Lender 1099-C xxxx959A
- 9 - PLM Lender Borrow Statement
- 10 xxxx959A
- 11 - Catamount K1
- 12 - Fidelity CAP VI K1
- 13 - Fidelity CAP IV K1
- 14 - Fidelity CAP V K1
- 15 - 4868 Extension of time form
- 16 - Wells Fargo Bank Statements.

17 In addition I can not state categorically that materials taken by the Trustee's attorney
18 on September 5th were not responsive to this demand. Except as so identified I have made a
19 diligent search and have produced all of the documents in my control responsive to this
20 demand

21 3. All of your QuickBooks files for any entity that
22 you owned or controlled with the last 4 years.

23 Except as to the documents previously tendered by prior counsel I have made a
24 diligent search and do not have possession and/or control of any other materials responsive to
25 this demand.

26 I am informed and believe that the following documents had been sent to the Trustee
27 by Messrs: Ison and Williams:

28 To date the QuickBooks that have been located include

Declaration of Stephens-412/12-30143

Page 10 of 24

1 PeopleBridge, Inc., and Atlas Consulting, LLC. as follows:

- 2 • Atlas SB (Backup May 11,2012 11 23 PM.QBB)
3 • PeopleBridge_2009.QBW.ADR

4 4. Any and all bank statements and canceled checks of yours from (1) personal
5 checking and (2) personal savings for 2010 through the present.

6 I am informed and believe that the following documents had been sent to the Trustee
7 by Messrs: Ison and Williams:

- 8 • Joint Wells Fargo Checking Acct xxx236.pdf
9 • Monette Personal California Bank and Trust Checking.pdf
10 • Monette Personal Montecito Bank and Trust Checking.pdf
11 • U.S. Bank and Trust Joint.tif
12 • Monette Montecito Savings 1_10 to 8_10.tif
13 • Monette Montecito Savings 9_10 to 12_11.tif
14 • Monette Montecito Savings 7_22_2011.pdf
15 • Monette Montecito Savings 2_24_2012.pdf
16 • Monette Montecito Savings 3_23_2012.pdf
17 • Monette Montecito Savings 4_24_2012.pdf

18 On September 5th I also produced Bank Statements including the following:

- 19 • Wells Fargo PMA Checking Account x5228 11/11;
20 • Wells Fargo Pook Snook Dook acct xxxx1374 9/11, 10/11; and
21 • CBT Atlas Check copies.

22 I also can not state categorically that materials taken by the Trustee's attorney on
23 September 5th were not responsive to this demand. Therefore except as so identified I have
24 made a diligent search and have produced all of the documents responsive to this demand.

25 5. Any and all bank statements and canceled checks of
26 yours from rental property from 2010 through the present.
27
28

Declaration of Stephens-412/12-30143

Page 11 of 24

1 Except as to the documents previously tendered I have made a diligent search and
2 have not found any other document responsive to this demand. Further I can not state
3 categorically that materials taken by the Trustee's attorney on September 5 were not
4 responsive to this demand. Except as so identified I have no current knowledge of other
5 materials responsive hereto. I am continuing to search but know of no other matter
6 responsive to this demand.

6. Any and all documents of yours regarding Livery S.A.

7 Except as to the documents previously tendered I do not have possession or control of
8 documents responsive to this demand nor do I have an interest, except to the extent that I
9 can claim a community property interest in any property interest claimed by my husband, in
10 said entity, so that the phrasing of this demand does not apply to me.

11 I have made a diligent search and do not have possession and/or control of documents
12 responsive to this demand. Further, I was present at my home when the Trustee's attorney
13 went through materials identified as belonging to my husband and I saw her take documents
14 and materials which were neither identified or categorized by her. I have not received any
15 identification of those materials and can not state categorically that materials taken by said
16 attorney were not responsive to this demand. Except as so identified I have made a diligent
17 search and have produced all documents that I had possession and control of in response to
18 this demand.

7. Any and all documents of yours regarding property bought or sold or
transferred in Honduras.

20 Except as to the documents previously tendered I do not have possession or control of
21 documents responsive to this demand. Nor do I have an interest, except to the extent that I
22 can claim a community property interest, in any such property. Unless said interest is claimed
23 by my husband in said entity, if any, making the demand ambiguous as directed to me
24 personally. I can not state categorically that materials taken by the Trustee's attorney on
25 September 5th were not responsive to this demand. Therefore except as so identified I have
26 made a diligent search and to the extent that documents have previously been provided
27 and/or that I have produced are responsive to this demand or as may have been taken by the
28 Trustee's counsel without identification I have no other material responsive to this demand.